

IN THE SENATE

SENATE BILL NO. 1248, As Amended

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO ORGAN DONORS; AMENDING SECTION 39-3413, IDAHO CODE, TO REVISE
PROVISIONS REGARDING CERTAIN NOTIFICATION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-3413, Idaho Code, be, and the same is hereby
amended to read as follows:

39-3413. ~~SEARCH AND~~ NOTIFICATION. (1) For purposes of this section,
"first responder" means a law enforcement officer, firefighter, emergency
medical services provider, coroner or other emergency rescuer.

(2) ~~The following persons shall make a reasonable search of an individ-
ual who the person reasonably believes is dead or near death for a document of
gift or other information identifying the individual as a donor or as an in-
dividual who made a refusal:~~

~~(a) A first responder finding the individual; and~~

~~(b) If no other source of the information is immediately available, a
hospital, as soon as practical after the individual's arrival at the
hospital.~~

~~(3) For all individuals identified as a donor, following the determi-
nation that an individual is deceased by a person qualified to do so, such
person shall, as soon as reasonably possible, notify the Idaho state com-
munication center of the location where the deceased will be or has been
transported to and include the deceased individual's name and date of birth
if known. The Idaho state communication center shall, as soon as reasonably
possible, notify the appropriate organ procurement organization, tissue
bank or eye bank.~~

~~(4) If a document of gift or a refusal to make an anatomical gift is lo-
cated by the search required by subsection (2) (a) of this section and the in-
dividual or deceased individual to whom it relates is taken to a hospital,
the person responsible for conducting the search shall send the document of
gift or refusal to the hospital.~~

~~(5) A person is not subject to criminal or civil liability for failing
to discharge the duties imposed by this section.~~